

**Background**

# What is the Justice40?

The Justice40 is a Biden-Harris Administration initiative to direct 40% of the benefits of the Administration's investments in clean energy and climate into disadvantaged communities. The Justice40 was first announced in the Build Back Better Plan and was implemented by Executive Order as a part of the Administration's climate plan.

- Build Back Better Justice40 Plan: <https://joebiden.com/racial-economic-equity/>
  - Covered investments: clean energy, energy efficiency, transit and transportation, affordable and sustainable housing, training and workforce development, remediation and reduction of legacy pollution, development of clean water infrastructure.
- Justice40 in the Climate EO: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>

# How will the Justice40 be implemented?

From the Jan 27, 2021 Climate EO, Section 223:

- By the end of May 2021 (120 days) the White House (OMB, CEQ, Climate Advisor and Task Force) will publish recommendations on how Federal investments can be made to meet the goal.
  - Developing the recommendations will include consulting with impacted communities.
  - Recommendations will of necessity give guidance on defining “disadvantaged communities,” which may align with existing Federal agency designations including census tracts, brownfields, or areas that have high pollution burdens. Definitions may align with the ongoing development and application of the EPA’s EJ Screen tool, which is also cited in the EO.
  - Recommendations will focus on spending through existing authorities, which means focusing on programs where the agencies have the flexibility to focus spending on the goal
  - Recommendations will also include legislation that may be needed to meet the goal, which would include programs that have statutory funding mandates that would have to be updated via legislation to meet the goals.
- By the end of July 2021 (60 days from when the recommendations are issued), agencies would implement the goals across applicable programs.
- By Feb 2022, OMB will publish the first annual Scorecard on agency progress on the goals.

# What does that mean?

- By July 2021, all applicable Federal agencies will be implementing the Justice40 guidance in how they spend money on programs, grants, and awards across a wide range of program areas including energy, water, housing, and transportation.
- Contemporaneously or soon thereafter, Federal agency funding opportunities will be released that target benefits to disadvantaged communities, per the Justice40 goals.